

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ABBATE FAMILY FARMS LIMITED
PARTNERSHIP,

Plaintiff,

No. C 11-0319 PJH

v.

P.Y. PRODUCE, LLC, et al.,

Defendants.

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION; ORDER
GRANTING MOTION FOR DEFAULT
JUDGMENT**

The court has reviewed Magistrate Judge Laporte's Report and Recommendation regarding plaintiff Abbate Family Farms Limited Partnership's motion for default judgment. Defendants P.Y. Produce, LLC, and Jose Gomez filed no objections to the report. The court finds the report correct, well-reasoned and thorough, and adopts it in every respect, the sole modification being to the date of accrual of post-judgment interest and method of calculation. Accordingly, plaintiff's motion for default judgment is GRANTED.

The court finds that plaintiff is entitled to damages in the amount of \$57,627.95, plus accrued prejudgment interest in the amount of \$13,550.84 (calculated at a rate of 1.5% per month, from September 1, 2010, to the date of judgment), plus \$350 in costs, plus post-judgment interest (calculated at the legal rate, see 28 U.S.C. § 1961(a)) from the date of judgment.

IT IS SO ORDERED.

Dated: January 23, 2012


PHYLLIS J. HAMILTON
United States District Judge